GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

STARRED QUESTION NO:80
ANSWERED ON:02.03.2007
VOTERS LIST
Dhanaraju Dr. K.;Mehta Shri Alok Kumar

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether in many States there is separate voter lists for Gram Panchayats elections, Local Bodies elections as well as Assembly/Parliament elections which creates confusion;

(b) if so, the reasons therefor;

(c) whether the voter lists are not updated and on verification by some voluntary organisations in some States it is found that 50% voter lists are wrong; and

(d) if so, the steps the Union Government proposes to take to correct and update the voter lists before every election and ensure that only one voter list is made for all elections?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ)

(a) to (d): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF THE LOK SABHA STARRED QUESTION NO.80 FOR 02.03.2007

(a) and (b): Under Article 324(1) of the Constitution of India, the superintendence, direction and control of the preparation of the electoral rolls for all elections to the Parliament and to the Legislature of every State is vested in the Election Commission of India. Every person who is a citizen of India and who is not less than 18 years of age on 1st January of the year with reference to which the roll is being revised/updated and is not otherwise disqualified under the Constitution or any law on the ground of non-residence, unsoundness of mind, crime or corrupt or illegal practice, is entitled to be registered as a voter. The provisions of the Representation of the People Act, 1950 and Registration of Electors Rules, 1960, made thereunder are applicable with respect to all matters relating to the preparation of electoral rolls for assembly/parliamentary constituencies. The responsibility of preparation of electoral rolls of local bodies elections rests with the State Election Commission of the State concerned under Articles 243K and 243ZA of the Constitution. The qualifying date for preparation/revision of electoral rolls of assembly/parliamentary constituencies throughout the country, prepared under the superintendence, direction and control of Election Commission of India is uniformly 1st January of the year in which the revision is undertaken. Regarding the qualifying date for revision of electoral rolls of local bodies of all the States, the matter may be addressed to the respective State Election Commission. The names in the local bodies rolls do not automatically qualify for inclusion in the electoral roll of assembly/parliamentary constituencies. As such there is no scope of confusion in electoral rolls of different legislative bodies.

(c): As per the consistent policy of the Election Commission, the voter lists of Assembly Constituencies/Parliamentary Constituencies are updated every year with reference to 1st January of next year, as qualifying date except under unavoidable circumstances.

The Election Commission of India has intimated that an NGO had undertaken a study on the correctness of rolls of three polling stations of Rajaji Nagar Assembly Constituency of Bangalore city in the year 2005. The NGO found that error was around 70%. The matter was inquired into by the Chief Electoral Officer, Karnataka and it was found that there were some intrinsic defects in the methodology adopted by the NGO in carrying out the verification such as (a) they could not locate a large number of households as the volunteers engaged by NGO were mostly from other States and students of colleges not knowing Kannada or any other southern languages; (b) no cut-off date (whether date of survey or the qualifying date was taken to decide correctness or otherwise of entries in rolls, etc.) was taken with reference to which the study was made; (c) It had verified only about 0.04% of registered electors out of about 4 crore voters of the State.

The NGO was asked to seek assistance from local Revenue Officials in verification work and as a result many of the missing names enlisted in the report earlier were found and the result of the study submitted earlier was found grossly incorrect as the percentage of inaccuracy came down from 70% reported earlier to the extent of 49%. Keeping all this in view, the Commission made an in-depth study of the rolls of the Karnataka State and ordered special revision of intensive nature in as many as 46 assembly constituencies with provision of checking each and every existing name by door-to-door visit. In the remaining constituencies, the summary revision is preceded by cleansing of rolls by software application.

(d): The Election Commission of India has intimated that in so far as having a common electoral roll for conduct of all elections is concerned, the Commission had already taken the initiative and held discussions with all the State Election Commissions. The first such meeting was organized on 27.8.1997 and thereafter meetings have been held from time to time and last such meeting was held on 16.05.2006. The Commission also wrote to the Chief Ministers of all States/UTs in July, 2000 on various issues including having a common electoral roll and wherever necessary, to amend the State Laws and Rules, for adoption of the assembly/parliamentary rolls in toto for local body elections. In these meetings there was total consensus with regard to having a common electoral roll to be shared by the Election Commission of India and the State Election Commissions. The Commission has also issued necessary instructions to the Chief Electoral Officers of all States/UTs to give printed copies of electoral rolls to the State Election Commission, free of cost.

Directions have also been issued to share the computerized electoral roll database with the State Election Commissions so that they could generate electoral rolls according to the extent of their local bodies, i.e. Municipal/Panchayat wards. The terms and conditions for sharing of electoral roll database have been specified.